

DONALD SPECTER – 083925  
CORENE KENDRICK – 226642  
RITA K. LOMIO – 254501  
MARGOT MENDELSON – 268583  
PRISON LAW OFFICE  
1917 Fifth Street  
Berkeley, California 94710-1916  
Telephone: (510) 280-2621  
Facsimile: (510) 280-2704

MICHAEL W. BIEN – 096891  
GAY C. GRUNFELD – 121944  
PENNY GODBOLD – 226925  
MICHAEL FREEDMAN – 262850  
ROSEN BIEN  
GALVAN & GRUNFELD LLP  
101 Mission Street, 6<sup>th</sup> Floor  
San Francisco, California 94105  
Telephone: (415) 433-6830  
Facsimile: (415) 433-7104

LINDA D. KILB – 136101  
DISABILITY RIGHTS EDUCATION &  
DEFENSE FUND, INC.  
3075 Adeline Street, Suite 201  
Berkeley, California 94703  
Telephone: (510) 644-2555  
Facsimile: (510) 841-8645

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHN ARMSTRONG, et al.,  
  
Plaintiffs,  
  
v.  
  
EDMUND G. BROWN, JR., et al.,  
  
Defendants.

Case No. C94 2307 CW

**[PROPOSED] STIPULATED ORDER  
CONFIRMING UNDISPUTED  
ATTORNEYS' FEES AND COSTS  
FOR THE THIRD QUARTER OF 2018**

Judge: Hon. Claudia Wilken

1 On March 26, 1997, the District Court established procedures by which Plaintiffs  
2 are to collect periodic attorneys' fees and costs in this case in connection with their work  
3 monitoring Defendants' compliance with the Court's Orders and collecting fees.

4 Pursuant to these procedures, on October 30, 2018, Plaintiffs served on Defendants  
5 their Third Quarterly Statement for 2018 by overnight delivery. The parties completed  
6 their meet-and-confer process on December 20, 2018 as to the fees and costs incurred on  
7 all matters.

8 As a result of the December 20, 2018 agreement, the parties agree to the following:

9 The parties agree to the payment of \$1,276,269.95 to resolve all fees and costs  
10 incurred during the Third Quarter of 2018, for monitoring and/or litigation activities in the  
11 California Department of Corrections of Rehabilitation Division of Adult Operations and  
12 Adult Programs (CDCR AOAP) portion of the case. Attached hereto as **Exhibit A** are  
13 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by  
14 the parties to settle these claims.

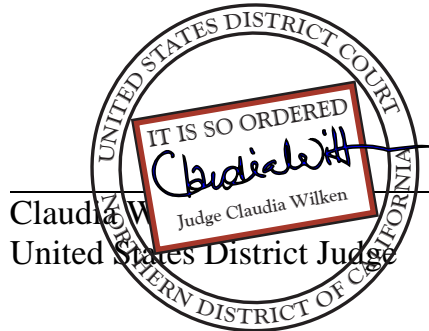
15 The parties agree to the payment of \$101,394.75 to resolve all fees and costs  
16 incurred during the Third Quarter of 2018, for monitoring and/or litigation activities in the  
17 Board of Parole Hearings (BPH) portion of the case. Attached hereto as **Exhibit B** are  
18 charts setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by  
19 the parties to settle these claims.

20 The parties agree to the payment of \$175,080.54 to resolve all fees and costs  
21 incurred during the Third Quarter of 2018, for monitoring and/or litigation activities in the  
22 Division of Adult Parole Operations (DAPO) portion of the case. Attached hereto as  
23 **Exhibit C** are charts setting forth the fees and costs claimed by Plaintiffs and the amounts  
24 agreed to by the parties to settle these claims.

25 The parties agree to the payment of \$12,346.62 to resolve all fees and costs incurred  
26 during the Third Quarter of 2018, for fees work. Attached hereto as **Exhibit D** are charts  
27 setting forth the fees and costs claimed by Plaintiffs and the amounts agreed to by the  
28 parties to settle these claims.

1 IT IS HEREBY ORDERED that the amounts set forth above are due and  
2 collectable as of forty-five days from the date of entry of this Order. Interest on these fees  
3 and costs will run from November 29, 2018, accruing at the rate provided by 28 U.S.C.  
4 § 1961.

5  
6 DATED: January 2, 2019



Claudia Wilken  
United States District Judge

9 APPROVED AS TO FORM:

10  
11 DATED: December 20, 2018

/s/ Sharon Garske

Sharon Garske  
Deputy Attorney General  
Attorney for Defendants

14 DATED: December 20, 2018

/s/Gay Crosthwait Grunfeld

Gay Crosthwait Grunfeld  
Rosen Bien Galvan & Grunfeld LLP  
Attorney for Plaintiffs

# EXHIBIT A

**Armstrong v. Brown**  
**Third Quarterly Statement of 2018**  
**July 1, 2018 through September 30, 2018**

**CDCR/AOAP SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
CDCR/AOAP MONITORING	\$1,239,090.72	\$37,179.23
	<b>TOTAL UNDISPUTED:</b>	<b>\$1,276,269.95</b>

**Armstrong v. Brown**

Third Quarterly Statement of 2018

July 1, 2018 through September 30, 2018

**Matter: CDCR/AOAP Monitoring/Merits****Monitoring (581-3)**

	Actual	Claimed	2018		Fees Now Owing
	Hours	Hours	Rates	Total	Per Negotiated Compromise
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Michael W. Bien (MWB)	1.60	1.60	\$965	\$1,544.00	\$1,482.24
Gay C. Grunfeld (GCG)	20.80	20.70	\$835	\$17,284.50	\$16,593.12
Penny Godbold (PG)	241.60	241.40	\$675	\$162,945.00	\$156,427.20
Thomas Nolan (TN)	119.80	119.80	\$700	\$83,860.00	\$80,505.60
Michael L. Freedman (MLF)	78.20	75.90	\$585	\$44,401.50	\$42,625.44
Ben Bien-Kahn (BBK)	67.20	65.50	\$535	\$35,042.50	\$33,640.80
Krista Stone-Manista (KSM)	8.50	8.50	\$535	\$4,547.50	\$4,365.60
Jenny Yelin (JY)	8.50	8.50	\$525	\$4,462.50	\$4,284.00
Kara J. Janssen (KJJ)	1.20	0.00	\$525	\$0.00	\$0.00
Karen Stilber (KES)	192.50	189.70	\$340	\$64,498.00	\$61,918.08
Linda Woo (LHW)	0.40	0.00	\$340	\$0.00	\$0.00
F. Gail LaPurja (FGL)	0.30	0.00	\$275	\$0.00	\$0.00
Greg Gonzalez (GZG)	23.30	23.30	\$275	\$6,407.50	\$6,151.20
Dylan Verner-Crist (DVC)	11.90	11.90	\$240	\$2,856.00	\$2,741.76
Maisy H. Sylvan (MHS)	57.50	51.90	\$225	\$11,677.50	\$11,210.40
Nathalie Welch (NW)	27.30	14.80	\$240	\$3,552.00	\$3,409.92
Hanna Wallace (HW)	317.30	312.10	\$225	\$70,222.50	\$67,413.60
<b>Total Hours:</b>	<b>1,177.90</b>	<b>1,145.60</b>		<b>\$513,301.00</b>	<b>\$492,768.96</b>
<b>RBGG FEES:</b>					
<b><u>PRISON LAW OFFICE</u></b>					
Donald Specter (DS)	22.60	22.60	\$965	\$21,809.00	\$20,936.64
Sara Norman (SN)	74.30	74.30	\$790	\$58,697.00	\$56,349.12
Rita Lomio (RL)	238.40	238.40	\$615	\$146,616.00	\$140,751.36
Thomas Nosewicz (TMN)	178.20	178.20	\$585	\$104,247.00	\$100,077.12
Margot Mendelson (MM)	101.30	101.30	\$535	\$54,195.50	\$52,027.68
Camille Woods (CW)	82.40	82.40	\$350	\$28,840.00	\$27,686.40
Amber Norris (AN)	202.20	202.20	\$335	\$67,737.00	\$65,027.52
Megan Lynch (ML)	262.30	262.30	\$335	\$87,870.50	\$84,355.68
Sarah Hopkins (SH)	222.10	222.10	\$300	\$66,630.00	\$63,964.80
Annalise Finney (AF)	44.70	44.70	\$300	\$13,410.00	\$12,873.60
Alayna O'Bryan	33.10	33.10	\$275	\$9,102.50	\$8,738.40
Tania Amarillas (TA)	95.10	95.10	\$275	\$26,152.50	\$25,106.40
Noah Breslau (NB)	28.50	28.50	\$275	\$7,837.50	\$7,524.00
Alexis Hoffman (AH)	79.90	79.90	\$275	\$21,972.50	\$21,093.60
Gabby Sergi (GS)	94.70	94.70	\$275	\$26,042.50	\$25,000.80
Stacy Amador (SA)	4.50	4.50	\$275	\$1,237.50	\$1,188.00
Gabriela Pelsinger (GP)	50.40	50.40	\$275	\$13,860.00	\$13,305.60
Juliette Mueller (JM)	75.90	75.90	\$275	\$20,872.50	\$20,037.60
<b>Total Hours:</b>	<b>1,890.60</b>	<b>1,890.60</b>		<b>\$777,129.50</b>	<b>\$746,044.32</b>
<b>PLO FEES:</b>					
<b><u>DISABILITY RIGHTS EDUCATION AND DEFENSE FUND</u></b>					
Case Clerk	1.70	1.70	\$170	\$289.00	\$277.44
<b>Total Hours:</b>	<b>1.70</b>	<b>1.70</b>		<b>\$289.00</b>	<b>\$277.44</b>
<b>DREDF FEES:</b>					
<b>TOTAL CDCR/AOAP MONITORING FEES:</b>				<b>\$1,290,719.50</b>	<b>\$1,239,090.72</b>

**Armstrong v. Brown**

Third Quarterly Statement of 2018

July 1, 2018 through September 30, 2018

**Costs*****Matter: CDCR/AOAP Merits/Monitoring*****Costs Now Owing  
Per Negotiated  
Compromise****Rosen, Bien, Galvan & Grunfeld (581-3)****Costs**

Photocopying (In house)	\$1,771.60	\$1,700.74
Photocopying/printing (Outside)	\$1,419.46	\$1,362.68
Translation/Interpreter Services	\$2,680.00	\$2,572.80
Online Research - PACER, Westlaw	\$2.05	\$1.97
Postage & Delivery	\$149.58	\$143.60
Telephone	\$18.90	\$18.14
Travel - Mileage, Tolls, Food	\$9,842.70	\$9,448.99
<b>Total RBGG Costs:</b>	<b>\$15,884.29</b>	<b>\$15,248.92</b>

**Prison Law Office**

Photocopying (In house)	\$539.00	\$517.44
Interpreting/Translation services	\$4,641.00	\$4,455.36
Travel - Mileage, Tolls, Food	\$15,763.03	\$15,132.51
Postage & Delivery	\$1,693.88	\$1,626.12
<b>Total PLO Costs:</b>	<b>\$22,636.91</b>	<b>\$21,731.43</b>

**Disability Rights Education & Defense Fund, Inc.**

Photocopying (in-house)	\$168.20	\$161.47
Pacer	\$3.00	\$2.88
Postage & Delivery	\$35.96	\$34.52
<b>Total DREDF Costs:</b>	<b>\$207.16</b>	<b>\$198.87</b>

<b>TOTAL CDCR/AOAP MERITS/MONITORING COSTS:</b>	<b>\$38,728.36</b>	<b>\$37,179.23</b>
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# EXHIBIT B



**Armstrong v. Brown**  
Third Quarterly Statement of 2018  
July 1, 2018 through September 30, 2018

**BPH SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
BPH	\$99,847.20	\$1,547.55
	<b>TOTAL UNDISPUTED:</b>	<b>\$101,394.75</b>

**Armstrong v. Brown**

Third Quarterly Statement of 2018

July 1, 2018 through September 30, 2018

**Matter: BPH****BPH (581-4)**

	Actual	Claimed	2018		Fees Now Owing
	Hours	Hours	Rates	Total	Per Negotiated Compromise
<b><u>BPH MONITORING (581-4)</u></b>					
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Ernest Galvan (EG)	0.5	0	\$780	\$0.00	\$0.00
Gay C. Grunfeld (GCG)	7.60	7.60	\$835	\$6,346.00	\$6,092.16
Thomas Nolan (TN)	43.20	43.00	\$700	\$30,100.00	\$28,896.00
Penny Godbold (PG)	0.50	0.00	\$675	\$0.00	\$0.00
Karen Stilber (KES)	2.10	2.10	\$340	\$714.00	\$685.44
Hanna N. Wallace (HW)	2.50	2.50	\$225	\$562.50	\$540.00
Total Hours:	56.40	55.20			
<b>RBGG FEES:</b>				<b>\$37,722.50</b>	<b>\$36,213.60</b>
<b><u>PRISON LAW OFFICE</u></b>					
Sara Norman (SN)	4.10	4.10	\$790	\$3,239.00	\$3,109.44
Rita Lomio (RL)	47.10	47.10	\$615	\$28,966.50	\$27,807.84
Rana Anabtawi (RA)	63.70	63.70	\$535	\$34,079.50	\$32,716.32
Total Hours:	114.90	114.90			
<b>PLO FEES:</b>				<b>\$66,285.00</b>	<b>\$63,633.60</b>
<b>TOTAL FEES FOR BPH WORK:</b>				<b>\$104,007.50</b>	<b>\$99,847.20</b>

**Armstrong v. Brown**

Third Quarterly Statement of 2018  
 July 1, 2018 through September 30, 2018

**Costs*****Matter: BPH*****Costs Now Owing****Rosen, Bien, Galvan & Grunfeld (581-4)****Costs****Per Negotiated  
Compromise**

Photocopying (In house)	\$134.60	\$129.22
Interpreter/SLI	\$198.00	\$190.08
Telephone	\$1.15	\$1.10
Travel - Mileage, Tolls, Food	\$152.44	\$146.34
<b>Total RBGG Costs:</b>	<b>\$486.19</b>	<b>\$466.74</b>

**Prison Law Office**

Travel - Mileage, Tolls, Food

\$1,125.84

\$1,080.81

**Total PLO Costs:**

**\$1,125.84**

**\$1,080.81**

**TOTAL BPH COSTS:**

**\$1,612.03**

**\$1,547.55**

# EXHIBIT C

**Armstrong v. Brown**

Third Quarterly Statement of 2018  
July 1, 2018 through September 30, 2018

**DAPO SUMMARY OF UNDISPUTED FEES AND COSTS**

<b><u>MATTER</u></b>	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COST</u></b>
DAPO MONITORING	\$171,723.84	\$3,356.70
	<b>TOTAL UNDISPUTED:</b>	<b>\$175,080.54</b>

**Armstrong v. Brown**

Third Quarterly Statement of 2018  
 July 1, 2018 through September 30, 2018  
***Matter: DAPO Monitoring***

<b><u>DAPO Monitoring (581-9)</u></b>	<b>Actual</b>	<b>Claimed</b>	<b>2018</b>		<b>Fees Now Owing</b>
	<b><u>Hours</u></b>	<b><u>Hours</u></b>	<b><u>Rates</u></b>	<b><u>Total</u></b>	<b><u>Per Negotiated Compromise</u></b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Sanford Jay Rosen (SJR)	0.30	0.00	\$1,000	\$0.00	\$0.00
Gay C. Grunfeld (GCG)	12.40	12.40	\$835	\$10,354.00	\$9,939.84
Penny Godbold (PG)	33.90	33.90	\$675	\$22,882.50	\$21,967.20
Thomas Nolan (TN)	19.20	18.60	\$700	\$13,020.00	\$12,499.20
Michael L. Freedman (MLF)	29.90	28.10	\$585	\$16,438.50	\$15,780.96
Benjamin Bien-Kahn (BBK)	92.10	88.80	\$535	\$47,508.00	\$45,607.68
Kara J. Janssen (KJJ)	0.80	0.00	\$525	\$0.00	\$0.00
Krista Stone-Manista (KSM)	26.60	24.40	\$535	\$13,054.00	\$12,531.84
Jenny S. Yelin (JSY)	26.10	26.10	\$525	\$13,702.50	\$13,154.40
Karen Stilber (KES)	2.80	2.80	\$340	\$952.00	\$913.92
F. Gail LaPurja (FGL)	8.90	8.90	\$275	\$2,447.50	\$2,349.60
Marcus V. Levy (MVL)	0.20	0.00	\$275	\$0.00	\$0.00
Nathalie Welch (NCW)	197.70	160.50	\$240	\$38,520.00	\$36,979.20
Maisy Sylvan (MHS)	0.80	0.00	\$225	\$0.00	\$0.00
Hanna Wallace (HW)	0.60	0.00	\$225	\$0.00	\$0.00
<b>Total Hours:</b>	<b>452.30</b>	<b>404.50</b>			
<b>RBGG FEES:</b>				<b>\$178,879.00</b>	<b>\$171,723.84</b>
<b>TOTAL DAPO MONITORING WORK FEES:</b>				<b>\$178,879.00</b>	<b>\$171,723.84</b>

**Armstrong v. Brown**

Third Quarterly Statement of 2018

July 1, 2018 through September 30, 2018

**Costs*****Matter: DAPO Monitoring*****Rosen, Bien, Galvan & Grunfeld (581-9)**

	<b><u>Costs</u></b>	<b>Costs Now Owing <u>Per Negotiated Compromise</u></b>
Photocopying (in-house)	\$703.80	\$675.65
Photocopying (outside)	\$219.04	\$210.28
Interpreting/translation	\$392.50	\$376.80
Westlaw	\$30.81	\$29.58
Outside Postage & Delivery	\$28.00	\$26.88
Inhouse Postage	\$235.74	\$226.31
Long distance telephone charges	\$0.60	\$0.58
Travel - Mileage, Tolls, Food	\$1,886.07	\$1,810.63
<b>Total RBGG Costs:</b>	<b>\$3,496.56</b>	<b>\$3,356.70</b>
<b>TOTAL DAPO MONITORING COSTS:</b>	<b>\$3,496.56</b>	<b>\$3,356.70</b>

# EXHIBIT D



**Armstrong v. Brown**  
**Third Quarterly Statement of 2018**  
**July 1, 2018 through September 30, 2018**

**SUMMARY OF UNDISPUTED FEES WORK AND COSTS**

	<b><u>UNDISPUTED FEES</u></b>	<b><u>UNDISPUTED COSTS</u></b>
FEES WORK (ALL MATTERS)	\$12,162.72	\$183.90
<b>TOTAL UNDISPUTED:</b>		<b>\$12,346.62</b>

**Armstrong v. Brown**

Third Quarterly Statement of 2018

July 1, 2018 through September 30, 2018

***Matter: All Matters Fees Work***

<b><u>Fees (581-2)</u></b>	<b>Actual</b>	<b>Claimed</b>	<b>2018</b>		<b>Fees Now Owing</b>
	<b><u>Hours</u></b>	<b><u>Hours</u></b>	<b><u>Rates</u></b>	<b><u>Total</u></b>	<b><u>Per Negotiated</u></b>
					<b><u>Compromise</u></b>
<b><u>ROSEN, BIEN, GALVAN &amp; GRUNFELD</u></b>					
Gay C. Grunfeld (GCG)	5.70	5.50	\$835	\$4,592.50	\$4,408.80
Ernest Galvan (EG)	0.20	0.00	\$780	\$0.00	\$0.00
Karen E. Stilber (KES)	10.50	10.10	\$340	\$3,434.00	\$3,296.64
<b>Total Hours:</b>	<b>16.40</b>	<b>15.60</b>			
<b>RBGG FEES:</b>				<b>\$8,026.50</b>	<b>\$7,705.44</b>
<b><u>PRISON LAW OFFICE</u></b>					
Rita Lomio	2.40	2.40	\$615	\$1,476.00	\$1,416.96
Margot Mendelson (MKM)	2.50	2.50	\$535	\$1,337.50	\$1,284.00
Ashley Kirby (AK)	6.70	6.70	\$210	\$1,407.00	\$1,350.72
<b>Total Hours:</b>	<b>11.60</b>	<b>11.60</b>			
<b>PLO FEES:</b>				<b>\$4,220.50</b>	<b>\$4,051.68</b>
<b><u>DISABILITY RIGHTS EDUCATION AND</u></b>					
<b><u>DEFENSE FUND</u></b>					
Linda Kilb (LDK)	0.50	0.50	\$845	\$422.50	\$405.60
<b>Total Hours:</b>	<b>0.50</b>	<b>0.50</b>			
<b>DREDF FEES:</b>				<b>\$422.50</b>	<b>\$405.60</b>
<b>TOTAL ARMSTRONG FEES WORK:</b>				<b>\$12,669.50</b>	<b>\$12,162.72</b>

**Armstrong v. Brown**

Third Quarterly Statement of 2018

July 1, 2018 through September 30, 2018

**Costs*****Matter: Fees Work in All Matters*****Costs Now Owing****Rosen, Bien, Galvan & Grunfeld (581-2)****Costs****Per Negotiated  
Compromise**

Photocopying and Printing (in-house)

\$139.60

\$134.02

Long distance telephone

\$0.05

\$0.05

Postage &amp; Delivery

\$48.91

\$46.95

**Total RBGG Costs:****\$188.56****\$181.02****Disability Rights Education & Defense Fund, Inc.**

Photocopying (in-house)

\$3.00

\$2.88

**Total DREDF Costs:****\$3.00****\$2.88****TOTAL FEES WORK COSTS :****\$191.56****\$183.90**